

Chapter 12

FIRE PREVENTION AND PROTECTION*

Article I. In General

- Sec. 12-1. Fire department and chief generally.
- Sec. 12-2. Fire department to be member of state firemen's association.
- Sec. 12-3. Fire marshal.
- Sec. 12-4. Firemen's insurance and inspection fund.
- Sec. 12-5. Fire protection service outside city.
- Sec. 12-6. Fire protection requirements for hotels.
- Sec. 12-7. Investigation and report of fires.
- Sec. 12-8. Interfering with fire apparatus or equipment generally.
- Sec. 12-9. False fire alarms; interfering with alarm system.
- Sec. 12-10. Obstructing fire hydrants.
- Sec. 12-11. Testing and maintenance of fire hydrants.
- Secs. 12-12—12-40. Reserved.

Article II. Fireworks

- Sec. 12-41. License for wholesalers, jobbers and retailers.
- Sec. 12-42. Permits and other requirements for public display.
- Sec. 12-43. Unlawful acts involving fireworks.
- Sec. 12-44. Prohibited and permissible time for discharge of fireworks.
- Secs. 12-45—12-61. Reserved.

Article III. Volunteer Firefighters

- Sec. 12-62. Appointment; number; term of service; removal; prerequisites.
- Sec. 12-63. Training course; requirements.
- Sec. 12-64. Status; contact with fire department.
- Sec. 12-65. Uniforms and equipment.
- Sec. 12-66. Additional requirements.

***State law reference**—Fire prevention in municipalities, S.C. Code 1976, § 5-25-10 et seq.



ARTICLE I. IN GENERAL**Sec. 12-1. Fire department and chief generally.**

There is hereby created a fire department for the city. A chief of the fire department shall be employed in accordance with the provisions of this Code.

(Code 1964, § 9-1; Code 1980, § 8-1)

State law references—Authority of city to maintain a fire department, S.C. Code 1976, § 5-25-20; duty to appoint fire chief, S.C. Code 1976, § 5-25-110.

Sec. 12-2. Fire department to be member of state firemen's association.

The fire department shall be a member in good standing of the South Carolina State Firemen's Association, and shall abide by its rules and regulations.

(Code 1964, § 9-2; Code 1980, § 8-2)

State law reference—Similar provisions, S.C. Code 1976, § 38-57-70.

Sec. 12-3. Fire marshal.

The chief of the fire department or his designee shall be the fire marshal for the city and shall perform the duties prescribed in S.C. Code 1976, § 38-57-60.

(Code 1964, § 9-3; Code 1980, § 8-3)

State law reference—Appointment of fire inspector prerequisite to participation in firemen's insurance and inspection fund, S.C. Code 1976, § 38-57-60.

Sec. 12-4. Firemen's insurance and inspection fund.

The fire department of the city is hereby declared to be a participant in the firemen's insurance and inspection fund and the provisions and benefits provided in S.C. Code 1976, §§ 38-57-10 through 38-57-210, are hereby accepted in all respects by the city. The board of trustees for such fund shall consist of three members who shall be the mayor, the chairperson of the standing committee on the fire department and the chief of the fire department.

(Code 1964, § 9-5; Code 1980, § 8-5)

State law reference—Composition of board of trustees, S.C. Code 1976, § 38-57-20.

Sec. 12-5. Fire protection service outside city.

The city may provide fire protection service outside the city limits, but within the county, under such conditions and terms as may be prescribed by the city council by rule, regulation or contract.

(Code 1964, § 9-7; Code 1980, § 8-7)

Sec. 12-6. Fire protection requirements for hotels.

The provisions of S.C. Code 1976, §§ 45-5-30 through 45-5-70, which provisions relate to fire extinguishers, fire escapes and other safety precautions for hotels, are hereby adopted for the city and by reference fully and completely incorporated herein and made a part hereof, and same shall be fully applicable in the city.

(Code 1964, § 9-8; Code 1980, § 8-8)

Sec. 12-7. Investigation and report of fires.

The city fire marshal shall hold an inquiry into the origin of every fire occurring within the limits of the city, and in this connection may send for persons and papers, subpoena witnesses and compel attendance as may magistrates of the state. After making a complete inquiry upon such fire, the city fire marshal shall make a report in writing to the state fire marshal upon blanks to be furnished by such marshal, showing how, in his opinion, the fire originated.
(Code 1964, § 9-10; Code 1980, § 8-9)

State law reference—Similar provisions, S.C. Code 1976, §§ 5-25-160, 5-25-170.

Sec. 12-8. Interfering with fire apparatus or equipment generally.

It shall be unlawful for any person to interfere with the fire engines, hook and ladders, or other apparatus connected therewith or belonging to the city or its fire department, or to interfere with any other firefighting equipment of the city.
(Code 1964, § 9-12; Code 1980, § 8-11)

Sec. 12-9. False fire alarms; interfering with alarm system.

It shall be unlawful for any person to give or cause to be given a false alarm of fire, or to pull the slide of any signal box, except in case of fire.
(Code 1964, § 9-13; Code 1980, § 8-12)

State law reference—Interfering with fire alarm system, S.C. Code 1976, § 16-17-570.

Sec. 12-10. Obstructing fire hydrants.

It shall be unlawful for any person to obstruct, with building material or otherwise, any fire hydrant so as to obstruct approaches to the same by the fire department.
(Code 1964, § 9-14; Code 1980, § 8-13)

Sec. 12-11. Testing and maintenance of fire hydrants.

The chief of the fire department shall periodically test fire hydrants and remove any grass or debris from around them, and shall ensure that same are in proper working order and available for use if needed. Maintenance of the hydrants shall be the responsibility of the Gaffney Board of Public Works.
(Code 1964, § 9-15; Code 1980, § 8-14)

Secs. 12-12—12-40. Reserved.

ARTICLE II. FIREWORKS

Sec. 12-41. License for wholesalers, jobbers and retailers.

(a) Each wholesale distributor of fireworks and each jobber selling fireworks in the city shall be required to purchase an annual license from the city. A "wholesale distributor" is defined as a person selling fireworks to licensed jobbers or licensed retailers. A "jobber" is defined as a person selling fireworks to licensed retailers.

(b) Each retailer selling fireworks shall be required to procure from the city an annual license, which shall authorize the licensee to sell permissible fireworks. No person may be issued a retail license in the city who is not already licensed by the state tax commission for sales tax purposes and who has not held such sales tax license from the state tax commission for at least 60 days.

(c) The licenses referred to in this section shall be issued by the city on such forms as the city may determine.

(Code 1964, § 9-25; Code 1980, § 8-28)

Sec. 12-42. Permits and other requirements for public display.

Any person who desires to hold a fireworks display shall first obtain a permit from the city at least ten days prior to the date of the display, in accordance with the provisions of S.C. Code 1976, § 23-35-60, as amended.

(Code 1964, § 9-30; Code 1980, § 8-33)

Sec. 12-43. Unlawful acts involving fireworks.

(a) The provisions of S.C. Code 1976, § 23-35-10 et seq., as amended, and the state regulations adopted pursuant thereto, are hereby adopted by reference. Violation of any of the aforesaid provisions shall be unlawful.

(b) In addition, it shall be unlawful:

- (1) To offer for sale or to sell permissible fireworks to children under the age of 14 years, unless accompanied by a parent.
- (2) To explode or ignite fireworks within 600 feet of any church, hospital, asylum or public school without a permit to do so issued by the state fire marshal and the city.
- (3) To explode or ignite fireworks within 75 feet of where fireworks are stored, sold or offered for sale.
- (4) To ignite or discharge any fireworks within or throw the same from any motor vehicle.
- (5) To place or throw any ignited fireworks into or at any motor vehicle.

(Code 1964, § 9-24; Code 1980, § 8-34)

Sec. 12-44. Prohibited and permissible time for discharge of fireworks.

Notwithstanding any other provision of this Code, it shall be unlawful for any person to discharge or permit the discharge of any fireworks between the hours of 11:00 p.m. and 9:00 a.m., except that on December 24, December 31, and July 4, the permitted hours shall be from 9:00 a.m. until 1:00 a.m. the following day; provided, however, that the city council may issue a permit allowing discharge of such fireworks for special events, when said event is for the benefit and enjoyment of the attending public.

(Ord. No. 2005-15, 10-3-2005)

Secs. 12-45—12-61. Reserved.

ARTICLE III. VOLUNTEER FIREFIGHTERS

Sec. 12-62. Appointment; number; term of service; removal; prerequisites.

The fire chief may, subject to approval by the city administrator, in his discretion, appoint such number of volunteer firefighters as may be needed but not exceeding the number of 30 persons. Before assuming their duties the volunteers shall:

- (1) Take the oath of office.
 - (2) Be bonded in an amount determined by the city council.
 - (3) Successfully complete a course of training specified by the fire chief.
- (Code 1980, § 8-46; Ord. No. 1981-7, § 1, 9-22-1981)

Sec. 12-63. Training course; requirements.

No volunteer shall assume any firefighting functions until he has successfully completed a course of training as required by the fire chief or state law.

(Code 1980, § 8-47; Ord. No. 1981-7, § 2, 9-22-1981)

Sec. 12-64. Status; contact with fire department.

Volunteers shall serve and function as firefighters only on specific orders and directions of the fire chief.

(Code 1980, § 8-50; Ord. No. 1981-7, § 5, 9-22-1981)

Sec. 12-65. Uniforms and equipment.

The uniforms and equipment issued to the volunteers shall remain the property of the city, but may, at the discretion of the fire chief, be entrusted to the care and control of the volunteers.

(Code 1980, § 8-51; Ord. No. 1981-7, § 6, 9-22-1981)

Sec. 12-66. Additional requirements.

Additional requirements beyond those set out herein may be imposed by the city council through the fire chief.

(Code 1980, § 8-53; Ord. No. 1981-7, § 8, 9-22-1981)

Chapter 13

RESERVED

